



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

RICK SNYDER
GOVERNOR

SHEILA A. ALLES
INTERIM STATE SUPERINTENDENT

August 30, 2018

Patrick Devlin
Board President
Detroit Community Schools
12675 Burt Road
Detroit, Michigan 48223

and

PO Box 361125
Grosse Point, Michigan 48236

Also sent via email to: tapnilved@yahoo.com

Dear President Devlin:

It has been brought to my attention that on August 20, 2018 the district was issued a School Administrator Permit for Sharon McPhail. This letter serves as a courtesy notification that the permit has been revoked in accordance with School Administrator Certification Code R 380.116(4) "...the superintendent of public instruction may...revoke a full-year school administrator substitute permit for...[f]raud, material misrepresentation, or concealment or omission of fact in the application for or the use of the substitute permit."

On July 16, 2018, I sent a letter to you reiterating a request for specific documentation as it pertains to the employment classification and status of Sharon McPhail at Detroit Community Schools Public School Academy (District). That documentation was not received prior to July 31, 2018, as required by the letter. As such, the Michigan Department of Education (MDE) is reinstating the salary deduct as required by the State School Aid Act.

To verify the appropriate amount of the deduction, the district has sixty (60) calendar days to provide evidence of all payments made to Sharon McPhail since August 1, 2017. Evidence must be provided in the form of official financial documents that could include: copies of checks, board approved financial statements, or another financial record mutually agreeable to both parties. If documentation is not received within sixty (60) calendar days, (MDE) will calculate and immediately apply a deduction using the average reported State Superintendent salary for the period of non-certified employment. That amount will be reported to the district before the deduction is issued and is likely to exceed \$100,000 annually.

It is important for the district to know that the State Aid deduction will accrue as long as Sharon McPhail continues to be employed by the District and performs the duties of a Superintendent (regardless of title).

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The District has the right to appeal my decision regarding the State Aid deduction to the State Superintendent within thirty calendar days of the date of this letter (attachment).

Feel free to contact me with any questions at 517-241-1392 or breenl1@michigan.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Leah C. Breen".

Leah C. Breen
Director
Office of Educator Excellence

cc: Chad DePetro, General Counsel, Bay Mills Community College
Kyle Guerrant, Deputy Superintendent, Michigan Department of Education
Venessa A. Keesler, Deputy Superintendent, Michigan Department of Education
Michael C. Parish, President, Bay Mills Community College
Len Wolfe, Attorney, Dykema

APPEAL PROCEDURES: STATE AID DEDUCTIONS UNDER MCL 388.1763

Revised 8.28.18

INTRODUCTION

If a state aid deduction is assessed against a local educational agency (LEA) under MCL 388.1763, the Office of Educator Excellence (OEE) shall notify the LEA in writing. The LEA will then have thirty (30) days to submit a request for reconsideration, or appeal, of this decision.

Request for Reconsideration

A request for reconsideration shall:

- a) Be received by the State Superintendent no more than thirty (30) calendar days from the date of the notice of the finding.
- b) Indicate the legal and factual basis for the request.
- c) Indicate whether the appeal is submitted entirely in writing, or that the LEA would like to attend a review conference in person or by telephone to discuss the appeal.

Upon receipt of a timely request for reconsideration, the State Superintendent may direct that further investigation be made and may request that the LEA submit additional information.

Based on all available information and based on arguments made at the review conference, if any, the State Superintendent shall issue a final written decision affirming, affirming in part and denying in part, or denying the appeal.

The final decision of the State Superintendent shall be sent to the LEA and shall be submitted to the OEE for implementation.

The decision of the State Superintendent is the final decision of the Department of Education. No further appeals or requests for reconsideration may be filed with the Department of Education.